

November 5, 2019

Mr. Will Feehley
10002 Hillgreen Circle
Apartment B
Cockeysville, MD 21030

Re: Eckert Property – 32 Stemmers Run Road
Forest Buffer Variance
Tracking #07-19-3091

Dear Mr. Feehley:

A request for a variance from the Baltimore County Code, Article 33, Title 3, a Law for the Protection of Water Quality, Streams, Wetlands and Floodplains, was received by this Department of Environmental Protection and Sustainability (EPS) on October 15, 2019. EIR received the required site plan to accompany the variance application on November 4, 2019. If granted, the variance would allow the applicant to forego establishment and recordation of a Forest Buffer Easement and allow approximately 2,700 square feet (sf) of impact to the forest buffer in order to construct a 1,200-sf garage in the rear yard of an existing dwelling.

A Use-I unnamed tributary to Deep Creek runs just offsite along the western property line, located approximately ten feet from the rear yard boundary. The property is currently improved with a single-family dwelling, driveway, and other associated infrastructure. The portion of the 75-foot buffer area that is on the subject property is presently maintained as a mowed lawn and rear yard for the dwelling.

This Department has reviewed your request and has determined that a practical difficulty exists in establishing the Forest Buffer Easement and avoiding impacts thereto by construction of the proposed garage, as the property is not large enough to accommodate both the proposed garage and the full 75-foot buffer. No wetlands, streams, forest, or trees will be directly impacted by the proposed development. Additionally, the applicant states that soil erosion fencing will be used to prevent the passage of sediment into the stream and minimize any impacts to water quality.

Therefore, we will grant this request in accordance with Section 33-3-106(a)(1) of the Baltimore County Code, with the following conditions:

1. The following note must appear on all subsequent plans submitted for this project:

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“A variance was granted on November 5, 2019, by the Baltimore County Department of Environmental Protection and Sustainability from the Law for the Protection of Water Quality, Streams, Wetlands and Floodplains to forego establishment of the required Forest Buffer Easement. The development shown hereon reflects the fact that this variance was granted. Conditions were placed on this variance to reduce impacts to water quality.”

2. The proposed garage must be located at least 25 feet from the stream, or 15 feet from the rear property boundary. This must be clearly shown on the site plan accompanying the future building permit application.

It is the intent of this Department to approve this variance subject to the above conditions. Any changes to site layout will require submittal of revised plans and a new variance request.

Please have the owner/developer sign the statement on the following page as the party responsible for meeting the conditions of this variance and return a signed copy of this letter to this Department within 21 calendar days. Failure to return a signed copy may render this approval null and void, or may result in delays in the processing of plans for this project.

If you have any questions regarding this correspondence, please contact Ms. Libby Errickson at (410) 887-3980.

Sincerely yours,

David V. Lykens
Director

DVL/lbe

c. Mr. Eugene Eckert, Owner

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I/we agree to the above conditions to bring my/our property into compliance with Law for the Protection of Water Quality, Streams, Wetlands and Floodplains.

Owner/Developer's Signature

Date

Printed Name